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SIPDIS

SENSITIVE  
SIPDIS

DEPARTMENT FOR SCA/INS, NEA/RA,G (ACBLANK) AND G/TIP

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SUBJECT: SRI LANKA: TIP INTERIM ASSESSMENT

REF: STATE 147242

COLOMBO 00001546 001.2 OF 002

¶1. (SBU) After meeting with numerous officials from throughout the GSL, Post assesses that the Government acknowledges the trafficking problem in Sri Lanka and is committed to addressing it. However, resource constraints, a lack of coordination among concerned ministries, and systemic problems with the judicial system make tackling TIP a challenge for the GSL. The following is a summary of the GSL's progress on TIP:

#### Criminal Investigations and Prosecutions

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¶2. (SBU) The GSL has launched a criminal investigation of the recruitment agent responsible for sending Rizanna Nafeek abroad when she was underage. Nafeek was sentenced to death in Saudi Arabia for allegedly killing a child under her care. After intervention from the GSL, though, the sentence was commuted to five years' imprisonment. The GSL is also investigating a subagent involved in a case where three Muslim children were trafficked abroad. We are unable to obtain a total number of investigations launched in 2007 from the police or a total number of trafficking cases prosecuted in 2007 from the Attorney General's office. Therefore, we are unable to assess whether the GSL has increased the overall number of investigations and prosecutions from 2006 to 2007. (Note: This lack of information stems from the fact that trafficking crimes are not disaggregated from other criminal violations. At present, accurate figures on trafficking-related investigations and prosecutions are not kept.)

#### Instituting a Formal Victim Identification Procedure

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¶3. (SBU) The GSL has no formal victim identification procedure. GSL law enforcement training programs currently do not include TIP-specific training on victim identification. The International Organization for Migration (IOM) has just begun a U.S.-funded program which includes the establishment of a case tracking database, which will help with victim identification and tracking and provide law enforcement training on victim identification. Fifty police officers will participate, and they in turn will train another 500 officers.

Ensuring Victims are Not Punished for Acts  
Committed as a Result of Being Trafficked

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14. (SBU) Without an effective victim identification system, it is difficult to assess whether trafficking victims are being punished for trafficking related crimes. However, in the high-profile Rizanna Nafeek case, the GSL interceded on Nafeek's behalf to prevent her from being put to death as punishment for a crime committed after being trafficked. The GSL sent a high level delegation to Saudi Arabia to lobby the Saudi Government on her behalf and assisted with legal fees to fund an appeal of her case.

Improving Services Offered to Trafficking Victims

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15. (SBU) The GSL runs five "certified schools" to rehabilitate children trafficked for sex work. The schools, located in Makola, Ranmuthugala, Hikkaduwa, Hantana and Keppetipola, offer counseling and vocational training to victims. In addition, the GSL operates 13 women's rehabilitation centers which offer shelter and counseling services to victims of domestic abuse. Repatriated trafficking victims are also counseled at these centers. In July 2007, a shelter for female victims of violence, including women who were abused during overseas employment, was opened in Kalutara, 30 km south of Colombo.

Other Developments

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16. (SBU) Other GSL efforts to combat TIP include:

-The Foreign Employment Bureau (FEB), the authorizing  
COLOMBO 00001546 002.2 OF 002

authority for all Sri Lankans traveling abroad on work visas, has been stepping up efforts to ensure that Sri Lankan workers are given legitimate employment opportunities abroad.

As of August 2007, all foreign employment contracts must be signed by the FEB, the worker, and the recruitment agent in the presence of an FEB officer. This procedure allows the FEB officer to ensure that the worker understands the terms of the contract and permits closer scrutiny of agents and subagents. The FEB also provides training prior to departing for foreign employment for prospective workers who want it. The instruction now focuses on performing domestic tasks and dealing with financial transactions and transfers, but there is also content to increase awareness of trafficking risks.

-The National Child Protection Authority (NCPA) conducts a community awareness program on TIP in partnership with the FEB. The NCPA visits 23 vocational training centers throughout the country to speak to girls who are potentially seeking foreign employment. Their program outlines possible problems with foreign employment and the dangers of underage recruitment.

-The GSL signed a memorandum of understanding on migrant labor with the United Arab Emirates in July 2007. Additional MOUs are currently being negotiated with Libya and Italy, according to the Foreign Employment Ministry.

-The Sri Lanka Police Women's and Children's Bureau Director participated in Ambassador's October 18 media launch of a State/USAID-funded anti-trafficking program implemented by IOM. He voiced strong commitment to fighting human trafficking and to achieving greater coordination on TIP within the GSL.

-The GSL, with support from IOM, plans to co-host a TIP meeting in mid-December. The meeting will bring together GSL officials from various offices, including the Attorney General's office, the Sri Lanka Police, the Ministry of

Foreign Employment, the Ministry of Women's Empowerment and Child Development, the Foreign Employment Bureau, and the National Child Protection Authority, as well as representatives from interested NGOs and embassies, to discuss the formulation of a national policy on TIP. This exercise will help raise public awareness of TIP trafficking problems and will be a starting point for achieving greater coordination of TIP efforts within the GSL. The Ministry of Women's Empowerment and Child Development has committed to taking the lead in establishing an interagency working group on TIP.

BLAKE